FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRI. WRIT PETITION NO.271 OF 2006

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr. Jayant Gaikwad i/by Ajay Khandhar & Co. for the Petitioner.

Ms. M.M.Mhatre,APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 13/2/2006.

P.C.

1. Only ground which is urged in this matter is that the Magistrate who passed an order of conviction, had no jurisdiction. It is contended that the complaint itself mentioned that the complaint had been filed in Girgaon Court because the Advocate for the complainant had his office within the jurisdiction of the said court and had given a notice on behalf of the complainant. Even assuming that the Magistrate has no jurisdiction in view of Section 462 of the Cr.P.C.1973, the conviction cannot be set aside merely on the ground that trial has taken place in wrong area unless it appears that such error had occasion to failure of justice. No material is placed

before me as to how passing of the impugned order has resulted in the failure of justice. No other point is urged before me. Hence, petition dismissed.

(R. S. MOHITE, J.)